

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 8 by Representative Williams

CRIMINAL/PROCEDURE: Provides for the disposal of noncontraband unclaimed property seized in certain criminal investigations

Synopsis of Senate Amendments	
1.	Added provision requiring items designated by the court to be sold either by public sale or by public auction without appraisal.
2.	Added provision requiring 10% of the proceeds of any sale to be distributed to the Indigent Defender Board for the district in which the matter arose.

Digest of Bill as Finally Passed by Senate

Proposed law provides procedures for the disposal of any noncontraband unclaimed property seized in connection with any criminal investigation under the jurisdiction of any district attorney, municipal police department, or state investigative agency if it remains unclaimed for more than one year after its seizure.

Proposed law requires the district attorney to determine if any of the property for which disposal is sought is subject to a prior recorded mortgage, lien, or security interest held by a federally insured financial institution.

Proposed law provides for the distribution of any revenue which is derived from the disposal of the unclaimed noncontraband property.

Proposed law provides that the items of property designated by the court for sale shall be sold either by public sale, without appraisal, or by public auction conducted by a licensed auctioneer, without appraisal.

Proposed law provides that 30% of the proceeds of the sale shall be distributed to the district attorney, 10% shall be distributed to the Indigent Defender Board for the district in which the matter arose, and the remaining funds shall be distributed to the investigative agency.

(Adds C.Cr.P. Art. 228.4)